

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16731 of 2017

Arising Out of PS.Case No. -116 Year- 2016 Thana -WEST CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

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Avinash Kumar Son of Raj Kishore Prasad, Resident of Village-Barvat Pasrain, P.S. Bettiah (Mufasil), District West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Ganga Kumari, Wife of Avinash Kumar and Daughter of Shivjee Prasad, Resident of Village-Barvat Pasrain, P.S.-Bettiah (Mufasil), District West Champaran, at Present Village Chuhari, P.S. Chanpatiya, District West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kr. Shrivastava, Advocate
For the State : Mr. Sri Harendra Prasad, APP
For Opp. Party No. 2 : Mr. Dhananjay Kumar No. 2, Advocate

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-04-2017

Heard learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection with Complaint Case No. 116(C) of 2016 arising out of S.C. No. 1143 of 2016, filed for offences punishable under Sections 498(A)/323/504/34 of the Indian Penal Code.

The petitioner is the husband and the case is under Section 498A of the Indian Penal Code.

At the outset, it is submitted on behalf of the petitioner that the petitioner is ready to keep his wife with dignity and care, if she is ready to live with him, however, she used to flee away from his house.

Heard learned A.P.P. and learned counsel for the complainant, opposite party No. 2 also.

Learned counsel for the complainant submitted that



the complainant is still ready to live with her husband, if she is allowed to live with dignity and care.

Having heard both sides and in view of the submissions of both the parties, let the petitioner surrender before the concerned court below on 28.4.2017 and on that day the opposite party No. 2 will also appear in the Court and on enquiry if the Court finds that they are ready to go and live together, release the petitioner on provisional bail on furnishing bail bond of Rs. 25,000/- (Twenty Five thousand) with two sureties of the like amount each to the satisfaction of the Court itself for a period of six months and with the further condition that both the parties will appear before the Court concerned on the date fixed in each month and the Court concerned will watch the conduct of both the parties about their conjugal life and if satisfied with their conduct, confirm the bail bonds of the petitioner and if the Court below is not satisfied then it may pass such order or orders as it may deem fit and proper.

It is needless to say that if the conduct of the opposite party No. 2 is not found good, then also the bail bond of the petitioner shall be confirmed.

With the aforesaid observations, this application is disposed of.

(Vinod Kumar Sinha, J)

S.Pandey/-

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